PTO/SB/05 (08-03)
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## UTILITY PATENT APPLICATION **TRANSMITTAL**

	spond to a collection of inform	ation unless it displays a valid OMB control number
	Attorney Docket No.	PC809.00 / 31132.42
	First Inventor	Lukas Eisermann
	Title	ARTICULAR DISC PROSTHESIS FOR TRANSFORAMINAL INSERTION
	Evoress Mail I ahel No	EV 333437110 US

(Only lot	The With Hompion Stories applications under ST CFR 1.35(b))	Express Mail Label No. 124 333-43			
See MPEP	APPLICATION ELEMENTS chapter 600 concerning utility patent application contents.	ADDRESS TO: Commission P.O. Box 1	Patent Application oner for Patents 1450 a VA 22313-1450		
2. Applii See 3 See 3 Spec (prefe. Desi - Cros - Statt - Refe or a - Back - Brief - Brief - Deta - Clair	Fransmittal Form (e.g., PTO/SB/17)  init an original and a duplicate for fee processing)  cant claims small entity status.  37 CFR 1.27.  iffication [Total Pages53]  med arrangement set forth below)  criptive title of the invention  ss Reference to Related Applications  ement Regarding Fed sponsored R & D  erence to sequence listing, a table,  computer program listing appendix  kground of the Invention  f Summary of the Invention  f Description of the Drawings (if filed)  alied Description  m(s)  tract of the Disclosure	e. Statements verifying ACCOMPANYING AP	ndix) Sequence Submission Form (CRF) Ince Listing on: D-R (2 copies); or I identity of above copies PPLICATION PARTS		
5. Oath or De a. No b. Co (fc i. App  18. If a CONT specification fc Cont Prior application For CONTINUA	information: Examiner_ TION OF DIVISIONAL APPS only; The entire disclosure of th	10. 37 CFR 3.73(b) Statemen (when there is an assign English Translation Doct Information Disclosure Statement (IDS)/PTO-14 13. Preliminary Amendment Return Receipt Postcard (Should be specifically it Is. Certified Copy of Priority (if foreign priority is claim Nonpublication Request (b)(2)(B)(i). Applicant muor its equivalent.  17. Other: Express Mail Card Ply the requisite information below and 7 CFR 1.76:  tition-in-part (CIP) of prior application.	Attorney  Jament (if applicable)  Copies of IDS  (MPEP 503)  Emized)  Document(s)  Junder 35 U.S.C. 122  Just attach form PTO/SB/35  Just attach form PTO/SB/35  Just attach form PTO/SB/35  Just attach form PTO/SB/35  Just attach form PTO/SB/35		
For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS					
	15. CORRESPON	DENCE ADDRESS			
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Name (Print/Type) David M. 90ell Registration No. (Attorney/Agent) 42,044					
Signature		(	Date 2-6-04		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known FEE TRANSMITTAL **Application Number** for FY 2004 First Named Inventor Lukas Eisermann Effective 10/01/2003. Patent fees are subject to annual revision. **Examiner Name** Applicant claims small entity status. See 37 CFR 1.27 Art Unit **TOTAL AMOUNT OF PAYMENT** (\$) 1,000.00 PC809.00 / 31132.42 Attorney Docket No. METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money Order Credit card Other 3. ADDITIONAL FEES Large Entity | Small Entity ✓ Deposit Account: Fee Fee Fee Description Deposit Code Fee Paid 08-1394 Account Number 1051 130 2051 65 Surcharge - late filing fee or oath Deposi 1052 50 2052 Surcharge - late provisional filing fee or Haynes and Boone, LLP Account cover sheet 1053 130 1053 130 Non-English specification The Director is authorized to: (check all that apply) 1812 2,520 1812 2,520 For filing a request for ex parte reexamination Charge fee(s) indicated below Credit any overpayments Requesting publication of SIR prior to 920 1804 1804 Charge any additional fee(s) or any underpayment of fee(s) Examiner action Charge fee(s) indicated below, except for the filing fee Requesting publication of SIR after Examiner action 1805 1.840 1805 1.840\* to the above-identified deposit account 110 2251 Extension for reply within first month **FEE CALCULATION** 210 Extension for reply within second month 1252 420 2252 1. BASIC FILING FEE 2253 1253 950 475 Extension for reply within third month arge Entity **Small Entity** Fee Paid Fee Fee Code (\$) Fee Description 1254 1.480 2254 740 Extension for reply within fourth month 1255 2.010 2255 1,005 Extension for reply within fifth month 1001 770 2001 385 Utility filing fee 770.00 2002 170 1401 330 2401 1002 \ 340 165 Notice of Appeal Design filing fee 1003 530 2003 265 1402 330 2402 165 Filing a brief in support of an appeal Plant filing fee 1403 290 2403 145 Request for oral hearing 1004 770 2004 385 Reissue filing fee 1005 160 2005 Provisional filing fee 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable SUBTOTAL (1) (\$) 770.00 2453 1453 1.330 665 Petition to revive - unintentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1,330 2501 665 Utility issue fee (or reissue) Extra Claims below 1502 480 2502 240 Design issue fee 1 x [18 -20\*\* = 8 144.00 1503 640 2503 320 Plant issue fee Independent -4 x 86 86.00 1460 130 1460 130 Petitions to the Commissioner Multiple Dependent 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) Small Entity Large Entity | 1806 180 1806 180 Submission of Information Disclosure Stmt Fee Fee Code (\$) Fee Description Fee res Code (\$) 40 Recording each patent assignment per 8021 40 8021 property (times number of properties) 1202 18 2202 Claims in excess of 20 385 Filing a submission after final rejection (37 CFR 1.129(a)) 770 1809 2809 1201 86 43 Independent claims in excess of 3 2201 Multiple dependent claim, if not paid 385 For each additional invention to be examined (37 CFR 1.129(b)) 1203 290 2203 145 1810 770 2810 Reissue independent claims 1204 86 2204 over original patent 2801 770 385 Request for Continued Examination (RCE) 1801 900 1802 Request for expedited examination 1205 18 2205 Reissue claims in excess of 20 1802 and over original patent of a design application Other fee (specify) (\$) 230.00 SUBTOTAL (2) \*Reduced by Basic Filing Fee Paid (\$) 0.00 SUBTOTAL (3) \*\*or number previously paid, if greater, For Reissues, see above

SUBMITTED BY (Complete (if applicable)) Registration No. Name (Print/Type) David M *I*O/Dell 42,044 Telephone 214-651-5000 Signature -04

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Eisermann et al.

TRANSFORAMINAL INSERTION

§

Group Art Unit: Unknown

Serial No. Unknown

8

Examiner: Unknown

Filed: Herewith

For: ARTICULAR DISC PROSTHESIS FOR

## **EXPRESS MAIL CERTIFICATE**

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Express Mail Number: EV 333437110 US

Date of Deposit: February 6, 2004

I hereby certify that the following attached papers and fee:

- 1. Utility Patent Application Transmittal;
  - 2. Fee Transmittal (in duplicate);
  - 3. Application Data Sheet;
  - 4. Patent Application consisting of 48 pages of specification, 28 claims and 1 page Abstract of Disclosure;
  - 5. Fourteen (14) drawing sheets;
  - 6. Executed Power of Attorney;
  - 7. Check in the amount of \$1,000.00; and
  - 8. Return Postcard

are being deposited with United States Postal Service "Express Mail Post Office to Addressee" to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Bonnie Boyle

Typed or Printed Name

Signature

R-66264.1